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| 10/577,895 | 05/01/2006 | Peng Yang | CN030034 | 6008 |
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| EXAMINER | | | | |
| NGUYEN, MINH DIEU T | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 2437 | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/577,895

Applicant(s)

YANG, PENG

Examiner

MINH DIEU NGUYEN

Art Unit

2437

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is in response to the communication dated 5/1/2006.
2. Claims 1-16 are pending.

Claim Objections

3. Claims 1-3, 5, 8-11, and 13-14 are objected to because of the following informalities:

a) As to claim 1, the phrase "sending a request to the server, which requires server to provide the information for decrypting the optical disc; receiving the decrypting information from the sever, the decrypting information includ ing two layers of data, the first layer contains the information related to the data of the optical disc which can not be copied, the second layer contains the method for decrypting the optical disc; ...and using the data to decrypt the information of the second layer to acquire the method for decrypting the optical disc and the related parameters." should be --sending a request to a server, which requires the server to provide the information for decrypting the optical disc; receiving the decrypting information from the server, the decrypting information including two layers of data, the first layer contains the information related to the data of the optical disc which can not be copied, the second layer contains the method for decrypting the optical disc; ...and using the data to decrypt the information of the second layer to acquire the method for decrypting the optical disc and the related parameters;--

b) As to claims 2-3, 5, 8-11 and 13-14, these claims have the same informalities, as addressed above claim 1 as an example, that need to be corrected.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-5, 7-14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uranaka et al. (6,550,009) in view of Kim (6,694,023).

a) As to claims 1, 9 and 13, Uranaka discloses a method for decrypting an optical disc, comprising: sending a request to a server, which requires the server to provide information for decrypting the optical disc (Uranaka: col. 8, lines 17-18); receiving the decrypting information from the server, the decrypting information including two layers of data, the first layer contains information related to data of the optical disc which can not be copied, the second layer contains the method for decrypting the optical disc (Uranaka: col. 8, lines 50-56); acquiring the data according to the information of said first layer, and using the data to decrypt the information of the second layer to acquire the method for decrypting the optical disc and related parameters (Uranaka: col. 8, lines 59-67). Uranaka discloses burst cutting area (BCA) data is recorded on the innermost track of a DVD-ROM disk. The data is recorded

individually for each disk and in such a way as to exclude falsification, the BCA data is written by laser irradiation (Uranaka: col. 7, lines 55-61). Uranaka does not explicitly disclose the data which can not be copied from the optical disc. Kim is relied on for the teaching of the data which can not be copied from the optical disc (Kim: col. 6, lines 40-56). It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of the data which can not be copied from the optical disc in the system of Uranaka, as Kim teaches, so as to provide copyright protection for a digital recording medium (Kim: col. 1, lines 18-22).

b) As to claims 2 and 10, the combination of Uranaka and Kim discloses the request includes topic information of the optical disc (Uranaka: col. 8, lines 27-29).

c) As to claims 3 and 11, the combination of Uranaka and Kim discloses sending identification information of player to the server to identify the player for the server (Uranaka: col. 8, lines 25-26).

d) As to claims 4 and 12, the combination of Uranaka and Kim discloses storing the acquired decrypting information into a local storage (Uranaka: col. 7, lines 36-37).

e) As to claims 5 and 14, Uranaka discloses a method for generating the information for decrypting an optical disc, comprising: receiving a request from a player, which requires to decrypt an optical disc (Uranaka: col. 8, lines 17-18); selecting data of the optical disc to be played from prestored data, which can not be copied (addressed by Kim), the prestored data include the data corresponding to the optical disc to be played; encrypting method for decrypting the optical disc and related parameters using

said data which can not be copied (addressed by Kim), and acquiring the encrypting result; sending method for acquiring said data which can not be copied and said encrypting result to the player (Uranaka: Fig. 1; col. 8, lines 45-67). Uranaka discloses burst cutting area (BCA) data is recorded on the innermost track of a DVD-ROM disk. The data is recorded individually for each disk and in such a way as to exclude falsification, the BCA data is written by laser irradiation (Uranaka: col. 7, lines 55-61). Uranaka does not explicitly disclose the data which can not be copied from the optical disc. Kim is relied on for the teaching of the data which can not be copied from the optical disc (Kim: col. 6, lines 40-56). It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of the data which can not be copied from the optical disc in the system of Uranaka, as Kim teaches, so as to provide copyright protection for a digital recording medium (Kim: col. 1, lines 18-22).

f) As to claims 7 and 16, the combination of Uranaka and Kim discloses the data which can not be copied including one or more kinds of following data: copyright management information (CPR_MAI), physical format information of the optical disc, manufacturing information of the optical disc, the information in the burst cutting area (BCA) (Kim: col. 6, lines 40-56).

g) As to claims 8, the combination of Uranaka and Kim discloses content of the method in step d) for acquiring the data which can not be copied including position and length of sector where said data which can not be copied being located (Kim: col. 6, lines 40-56).

6. Claims 6 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uranaka et al. (6,550,009) in view of Kim (6,694,023) and further in view of Penzias (5,311,594).

The combination of Uranaka and Kim is silent on the capability of having the data which can not be copied being acquired randomly from said prestored data. Penzias discloses the data which can not be copied being acquired randomly from said prestored data (Penzias: col. 1, lines 8-12). It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of having the data which can not be copied being acquired randomly from said prestored data in the system of Uranaka and Kim, as Penzias teaches, so as to increase the system security.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dieu Nguyen whose telephone number is 571-272-3873.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

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more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Minh Dieu Nguyen/
Primary Examiner, Art Unit 2437